IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 337 of 2005

Between:

P. Ranga Reddy S/o Gangi Reddy
R/o Pedda Denduluru (V) Jammalamadugu Mandal, Cuddapah

District

..... PETITIONER

AND

1 The Commissioner of Prohibition & Excise, Government of Andhra

Pradesh, Hyderabad
2 The Dy. Commissioner of Prohibition & Excise, Kurnool
3 The Inspector of Prohibition & Excise, Proddatur, Cuddappah District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass an order or direction or Writ under Article 226 of the Constitution of India, more particularly one in the nature of Writ of Mandamus directing the respondents to release the amount of Rs. 33,00-00 and Rs. 7,00-00 respectively, with interest, deposited as bank guarantee, which was invoked by the respondents vide proceedings Rc.No. B2/1127/1996 dated 12-2000 and pass such other and further order or orders.

Counsel for the Petitioner:SMT.P.RAJANI

Counsel for Respondents No.1 to 3: GP FOR PROHIBITION & EXCISE

The Court at the stage of admission made the following ORDER:

A perusal of the record discloses that an order of confiscation was passed against the vehicle of the petitioner and that the same was confirmed in the appeal. Even after amendment, ordered by this Court, the prayer in the writ petition refers only to the order of confiscation. As of now, the order of the appellate authority is not challenged. When the same is pointed out, the learned counsel for the petitioner seeks permission of this Court to withdraw the writ petition, duly reserving the liberty to the petitioner to file a fresh writ petition.

Permission is accorded and the writ petition is dismissed as withdrawn, leaving it open to the petitioner to file a fresh writ petition challenging the order of confiscation as well as the order of appellate authority. There shall be no order as to costs.

04.02.2005

ksld

To

1 The Commissioner of Prohibition & Excise, Government of Andhra

Pradesh, Hyderabad
2 The Dy. Commissioner of Prohibition & Excise, Kurnool
3 The Inspector of Prohibition & Excise, Proddatur, Cuddappah District

4 Two CCs. to the G.P. for Prohibition & Excise, High Court of A.P.,

Hyderabad (OUT).

5 Two CD copies.